Truth, Reconciliation, and Healing: Towards a Unified Future
Panelist Biographies

Hon. Tracy Tansia Bibo

Tracy Tansia Bibo is a former City Councilor of Liedekerke, Belgium and was the first person of African descent serving in an elected position for the city. She is also a former vice-chairman of the Flemish Women's Council. As a parliamentary assistant for the former Belgian Minister of Mobility Brigitte Grouwels, she led efforts on equal opportunity and poverty. In particular, she led efforts to pass Belgium's first laws on providing restitution to mixed raced children stolen from Belgian colonies in the Congo and continues to work on efforts to reform Belgium's African museum and strengthen relations with DR Congo.

Councilor Don Ceder

Don Ceder is a lawyer, Chairman of the Christian Union of Amsterdam, and is currently a Municipal Councilor for the Christian Union Amsterdam. He is also a member of the Supervisory Board of the Fund for Cultural Participation and Stichting Tear and of the Advisory Council of the Vrije Universiteit Amsterdam. He was selected by Forbes magazine for the '30 under 30 Europe' list due to his innovative efforts around debt. His contribution to strengthening the legal position of consumers delivered him a nomination for Amsterdammer of the year in 2014. At the age of 25, he opened the law firm Ceder Advocatuur and focused on assisting clients who deal with unlawful costs and debts. In 2019, he was nominated for a Golden Hourglass award due to his work in this field.

Dr. Gail C. Christopher

Dr. Gail C. Christopher is an award winning social change agent and former Senior Advisor and Vice President of the W. K. Kellogg Foundation (WKKF), one of the world's largest philanthropies. She is the visionary for and architect of the WKKF led Truth Racial Healing and Transformation (TRHT) effort for America. TRHT is an adaptation of the globally recognized Truth and Reconciliation Commission (TRC) model. TRHT evolved from the decade long WKKF America Healing, racial equity and racial healing initiative, designed and led by Dr. Christopher. Over the last ten years she has had responsibility for several other areas of foundation programming. These include, Food, Health and Well-Being, Leadership, Public Policy, Community Engagement and place-based funding in New Orleans and New Mexico. In August of 2017, Dr. Christopher left her leadership position with WKKF to launch the Maryland based Ntianu Center for Healing and Nature; and to devote more time to writing and speaking on issues of health, racial healing and human capacity for caring. She is currently Chair of the Board of the Trust for America's Health and a Fellow of The National Academy of Public Administration.

Ambassador Stuart Eizenstat

Ambassador Stuart Eizenstat is a Partner at Covington and Burling LLP, where he heads the firm's international practice. During a decade and a half of public service in three US administrations, Ambassador Eizenstat held a number of key senior positions, including chief White House domestic policy adviser to President Jimmy Carter (1977-1981); US Ambassador to the European Union; Under Secretary of Commerce for International Trade; Under Secretary of State for Economic, Business and Agricultural Affairs; and Deputy Secretary of the Treasury in the Clinton Administration (1993-2001). During the Clinton Administration, he had a prominent role in the development of a number of key international initiatives. Much of the interest in providing belated justice for victims of the Holocaust and other victims of Nazi tyranny during World War II was the result of his leadership as Special Representative of the President and Secretary of State on Holocaust-Era Issues. He successfully negotiated major agreements with Switzerland, Germany, Austria, France and other European countries, covering restitution of property, payment for slave and forced laborers, recovery of looted art, bank accounts, and payment of insurance policies. Ambassador Eizenstat has received seven honorary doctorate degrees and been awarded high civilian awards from the governments of France (Legion of Honor), Germany, and Austria, as well as from Secretary of State Warren Christopher, Secretary of State Madeleine Albright, and Secretary of the Treasury Lawrence Summers. He is a Phi Beta Kappa, cum laude graduate of the University of North Carolina at Chapel Hill, and of Harvard Law School.

Dr. Diane Orentlicher

Dr. Diane Orentlicher, Professor of International Law at American University, has been described by the Washington Diplomat as "one of the world's leading authorities on human rights law and war crimes tribunals." She has lectured and published widely on issues of transitional justice, international criminal law and other areas of public international law, and has testified before the United States Senate and House on a range of issues relating to both domestic human rights laws and U.S. foreign policy. Professor Orentlicher has served in various public positions, including as the Deputy for War Crimes Issues in the U.S. Department of State (2009-2011); United Nations Independent Expert on Combating Impunity (on appointment by the UN Secretary-General) and Special Advisor to the High Commissioner on National Minorities of the Organization for Security and Cooperation in Europe (on secondment from the U.S. Department of State). In her new book, Some Kind of Justice: The ICTY's Impact in Bosnia and Serbia, Professor Orentlicher offers a groundbreaking and timely account of how an international criminal tribunal affects local communities and the factors that account for its changing impact over time

Commission on Security & Cooperation in Europe: U.S. Helsinki Commission

"Truth, Reconciliation, & Healing: Toward a Unified Future"

Committee Members Present:
Senator Benjamin L. Cardin (D-MD), Ranking Member;
Representative Gwen Moore (D-WI)

Committee Staff Present:
Erika B. Schlager, Counsel for International Law, Commission on Security and Cooperation in Europe
Dr. Mischa E. Thompson, Director of Global Partnerships, Policy, and Innovation, Commission on Security and Cooperation in Europe;

Participants:
Dr. Gail C. Christopher, Founder, Ntianu Center; Chair, Board of the Trust for America's Health;
Ambassador Stuart Eizenstat, Author, "Imperfect Justice: Looted Assets, Slave Labor," and "The Unfinished Business of World War II;" Senior Counsel, Covington;
The Hon. Tracy Tansia Bibo, former City Councilor, Liedekerke, Belgium;
Councilor Don Ceder, Municipal Councilor, City of Amsterdam, the Netherlands;
Dr. Diane Orentlicher, Professor of International Law, American University; former Special Advisor to the High Commissioner on National Minorities of the Organization for Security and Co-operation in Europe; Author, "Some Kind of Justice: The ICTY's Impact in Bosnia and Serbia"

The Briefing Was Held From 10:04 a.m. To 11:56 a.m. in Room 2167, Rayburn House Office Building, Washington, D.C., Dr. Mischa E. Thompson, Director of Global Partnerships, Policy, and Innovation, Commission for Security and Cooperation in Europe, presiding

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SCHLAGER: Good morning, ladies and gentlemen. Welcome. My name is Erika Schlager, and I'm pleased to open Truth, Reconciliation, and Healing: Toward a United Future, a briefing hosted by the U.S. Commission on Security and Cooperation in Europe, also known as the Helsinki Commission.

For those who may not know us, the Helsinki Commission is an independent U.S. government agency focused on human rights, economic cooperation and military security in and among the 57 North American, European, and Asian countries that make up the Organization on Security and Cooperation in Europe – the OSCE. Priorities of the Commission include fostering safe, equitable and inclusive societies, and advancing human rights at home. To that end, the Commission has worked closely with the OSCE and the OSCE Parliamentary Assembly to secure a democratic future for diverse and vulnerable groups across Europe and North America, including Romani and Jewish populations, national minorities, and migrants.

The bicameral and bipartisan commission is currently chaired by Congressman Alcee Hastings. We hope to be joined today by Senator Ben Cardin and Shelia Jackson Lee, two of our 18 congressional commissioners. As you may have seen coming into the room, there is a lot going on on the Hill today, so we are hopeful that they will be able to join us. Senator Ben Cardin serves as the OSCE's Special Representative on Anti-Semitism, Racism, and Intolerance. Representative Shelia Jackson Lee serves on the OSCE Parliamentary Assembly Ad Hoc Migration Committee.

The Helsinki Commission also supports OSCE institutions, such as the OSCE High Commissioner on National Minorities, the Office for Democratic Institutions and Human Rights, and the Representative on Freedom of the Media. Next week the Helsinki Commission will welcome the OSCE Representative on Freedom of the Media Harlem Désir for a public hearing. And this week, the High Commissioner on National Minorities Lamberto Zannier is in the United States and, among other things, will be discussing with world leaders some of the issues that we will be focusing on today.

In March, at an event focused on the abuse and use of historical legacies for political purposes and the tensions this can produce, the OSCE High Commissioner said, "History and memory have always been sensitive issues, but it is increasingly apparent that there are very real security implications. Memory politics are part of identity politics. And we are witnessing firsthand how they can drive wedges between communities in countries across the world and be exploited by outside forces. Myths and memories are an integral part of ethnic and national identities that determine not only who we are, but where we are going." Today we will attempt to discern what paths many of our societies are on by examining some recent efforts to address past atrocities and injustices, and what we can learn from those efforts.

So I want to thank all of you for being here. We are incredibly privileged to have a panel of people to speak to this issue that have enormous expertise grappling with this issue from so many different perspectives. All of their biographies are in the pamphlets that you received coming in the door. They will be posted to our website as well. I will turn to my colleague, Dr. Mischa Thompson, the Director of Global Partnerships, Policy, and Innovation, to chair the briefing. But I will take the privilege and honor of introducing our very first speaker, a luminary

whose life's work has been to empower people and to see beyond the mythology of race and to heal societal wounds. Thank you, Dr. Gail Christopher.

CHRISTOPHER: Thank you very much. I am honored to be here and I'm so pleased that this important briefing is happening in this moment in time. I am going to digress a bit from my written comments, but you have them. I was asked to share lessons learned. And I will start with the most fundamental lesson that we learned in launching an adaptation of the truth and reconciliation concept here in this country, in America. And the most fundamental lesson that we learned is that for America, reconciliation is probably not the right frame.

Our frame is transformation and healing. And I say that because to reconcile suggests that we are coming back together. And America was never together, in the sense that we were founded, and this country was built over two and a half centuries with the deeply embedded fallacy of a hierarchy of human value, that some human beings just simply don't have value. And so if we are realistic about unifying and bringing our country together, we have to address that fundamental belief system. It still lives today. It is being reignited today.

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There is a book out now called "White Fragility." And it talks about the emotional defensive guilt and almost hysterical responses that some people have in the face of working on issues of racism. I would retitle it often white ignorance, and ignorance of many of us who don't understand that our legacy of believing in a system of hierarchy and privilege was very deliberately manipulated and maintained for centuries. And many of us don't even know that we've internalized that belief. So healing and transformation are critical frames for our work. And I believe that applies not just here, but perhaps in many other places around the world.

I actually have found that racism, anti-Semitism, religious bias, extremism, xenophobia – they all have their root in this fundamental fallacy of a hierarchy of human value. And if you're going to change behaviors over the long haul it's by changing consciousness and changing beliefs. So the other lesson I would share is, well, how do you do that? And one of the ways we learned to do that effectively is by bringing people together. And research really supports that it is through direct interaction with the perceived other that our biases and our deeply held misconceptions can be challenged.

And so we're working with many people around the country to equip them with the skills and the capacities to bring diverse people together and deliberately, in face-to-face interactions, to help them develop the skills and the capacities to see themselves in the face of the other. Albert Einstein is known for many things. One of the things is that he was a strong advocate for justice and civil rights. And he said we as a people must learn to see ourselves in the face of the other. When we have developed that capacity for compassion and empathy and relatedness, we will behave differently, and we won't allow violations of our fundamental humanity.

Twenty-first century science has proven that the antiquated notion of separate races and a separate hierarchy of identity – that it just has no basis in science whatsoever. And yet, it's being reignited in this 21st century. We have to say no to that. We have to begin to understand that we are, indeed, one extended human family. And from that perception, we have to create policies and practices that honor that truth. So when we say truth, racial healing and

transformation, it is the truth of our interrelated connection as a human family. One of the best ways to change hearts and minds is through narrative.

This fallacy of a hierarchy of human value was created by narrative. It actually launched the entertainment industry, the Hollywood industry, this false narrative of a hierarchy of human value. I highly recommend a new book by Professor Gates, which is called "Stony the Road." And it documents and relays in the most comprehensive way the story of how the narrative of human hierarchy was deeply established after the Civil War and was used to turn back the legislative victories of Reconstruction. And we live with that narrative today.

Most recently, five organizations have come together. They are primarily health organizations. And that's the other lesson I want to leave you with too, is that the cost of racism, xenophobia, anti-Semitism – the cost of extremism, these costs are health costs. And they affect us physically, psychologically, emotionally. They trigger our stress responses, whether we're on the giving or the receiving end. And it leads to vulnerability to disease. And so our approach is being described as Rx or prescription racial healing. And we have five major national organizations that reach millions of people who are working very hard to accelerate a national mobilization campaign to end racism.

And this is the time. We must do this now. Our security as a nation, I believe our security as a global family is at risk if we don't put an end to the notion of a hierarchy of human value, because it fuels extremism. And extremism suggests that your existence is a threat to my existence. And it opens the door for violence and cruelty that are almost – actually, that are unspeakable. And so I welcome your questions as the panel proceeds, but I want to say that our work is to create a new human story to correct the fallacy, and to bring us together as a human family and so no to the absurdity that's happening in our country today, that is deliberately dividing us and pushing us into factions, and sometimes even unconsciously knowing that we're building on a legacy of a belief in a hierarchy or human value. Thank you.

THOMPSON: Thank you, Dr. Christopher. I would now introduce Ambassador Stuart Eizenstat, a partner at Covington and Burlington, who heads the firm's international practice. But for many people, he's actually known for his over a decade and a half of public service over three U.S. administrations, with key positions including chief White House domestic policy advisor for President Jimmy Carter, U.S. Ambassador to the European Union, and Undersecretary for Commerce and the State Department, as well as the Deputy Secretary of the Treasury. However, for many, he is really known for working to provide belated justice for victims of the Holocaust and other victims of Nazi tyranny during World War II, which was primarily done through his leadership as a Special Representative of the President and Secretary of State on Holocaust-era issues. Ambassador Eizenstat.

EIZENSTAT: Thank you, Dr. Thompson. It's an honor to be here. And I have testified many times before the Helsinki Commission, which is inspired by the Helsinki Accords of 1975. And that, in turn, inspired President Carter's human rights policy, in making that a centerpiece of his foreign policy, which I describe in my new book, "President Carter: The White House Years." But I was asked today to testify about our Holocaust work, and how that dealt with reconciliation.

In dealing with the Holocaust, the greatest genocide in history, we combined direct payments to victims together with a historical examination of its dimensions and lessons. I've negotiated $17 billion in recoveries for Holocaust survivors who suffered under the Nazis. Eight billion as a U.S. government representative under Clinton and Obama administrations and 9 billion (dollars) as the chief negotiator for the Jewish claims conference in our annual negotiations with Germany. These cover everything from forced enslaved labor by German and Austrian companies, unpaid insurance policies by major European insurers who refused to pay beneficiaries on the ground, that the owners didn't pay their premiums when they were in Auschwitz, Swiss and Frank bank accounts hidden from their owners after the war, deportations by the French railway, communal property – churches, synagogues, schools, community centers, and even cemeteries – which were confiscated by the Nazis and then nationalized by the post-war communist governments in the east bloc, and return of private property, particularly in Austria.

It's important to understand that on the payment side, those are made to direct victims. And heirs are paid only if there were clearly identifiable assets – like bank accounts, insurance policies, artwork, books, cultural objects, and real property that can be directly traced to their relatives. We also created institutions of remembrance. For example, in my recommendation to President Carter, also described in my book, in 1978, recommended creating a presidential commission on the Holocaust headed by Eli Wiesel. And they, in turn, recommended what is now the U.S. Holocaust Memorial Museum, 50,000 visitors – 50 million visitors – excuse me – have come since it was opened in 1993. Three-quarters of them non-Jews. And it is a way of telling a story of remembering and learning lessons.

In our German Slave Labor Agreement, which was a 10 billion deutschmark, $5 billion agreement, several hundred million dollars were set aside for a new German foundation called Remembrance Responsibility in the Future to support, as they have done to this day, projects devoted to tolerance and justice. As part of the Swiss bank negotiations, I chaired a U.S. government inter-agency task force which prepared a report on the role of Switzerland and the Swiss National Bank as so-called neutrals during the war, exposing the fact that they, in fact, were not so neutral at all. This led Switzerland for the first time to create its own historical commission, under Professor Jean-François Bergier that examined in an honest and candid way Swiss dealings with Jewish refugees, often blocking them from coming in, and the value of assets that they took into their national bank, and converted them into Swiss banks – Swiss francs, which helped the Germans continue their war effort.

We did a second report on the role of a dozen other neutral countries, several of whom created their own historical commission. There were several unique features to the direct payments that have been made to survivors. The first is that most came from class action suits in U.S. courts against private corporations. It's the first and only time in history that private corporations paid for their actions in wartime – not governments, but private corporations. Private banks, slave labor companies, and banks that took Holocaust assets and never disclosed them. Second, it demonstrated the role of the U.S. as a force for good. We acted as a mediator to settle Swiss, German, Austrian, and French lawsuits. We had to earn the trust of the plaintiff's

attorneys, Jewish organizations, and Holocaust groups, and foreign corporations. And the Swiss bank account, U.S. District Court Judge Edward Korman finalized the negotiations I began.

Third, we had to employ novel principles since we were dealing, in this case, with fifty years after the war. The difficulty of finding proof that you were a slave in forced labor. And we employed a concept called rough justice for ease of administration. So for example, for slave laborers, most but not all Jews were being worked to death. We looked at Red Cross and German concentration camp lists. And anyone who was in a concentration camp, even for a day, was assumed to be a slave laborer and got a payment of $7,500 per person, regardless of the length of time they were there. For forced laborers, most non-Jews from Poland and other occupied countries, who were considered an asset by the German state for production while men up to the age of 40 were fighting the war, they were paid $2,500 per person, again, regardless of the time they worked.

Fourth, Jews were not the sole beneficiaries, indeed, in the German slave and forced labor cases. Almost 80 percent of the payments went to non-Jewish forced laborers who had never been part of any compensation program before. Fifth, in a Swiss bank case that was settled for $1 ¼ billion, it was begun by Edgar Bronfman, chairman of the World Jewish Congress, and myself while I was U.S. Ambassador to the EU, but also Special Representative to the President and Secretary of State on Holocaust Issues. And here's how it happened, if you're interested in a career in journalism, there was a Wall Street Journal frontpage story in 1994 about so-called dormant Swiss bank accounts – accounts that had been created by Jews trying to hide money from the onrushing Nazi armies. And then after the war, if they survived or if they didn't their heirs, went to those banks and they said: We have no record of such accounts. In fact, they drew down for 50 years by monthly charges into their profit statement.

And I brought that Wall Street Journal article to the Basel Switzerland Swiss Bank Association. I said, is it true? Did you banks do this? Yes, unfortunately, a few did. We found 732 accounts. We're going to pay $32 million in plussed up interest. We didn't trust them. Paul Volcker was appointed, the former head of the Fed. For five years he examined these records. There weren't 732. There were 54,000 accounts possible, and 21,000 certain accounts. And Judge Korman helped me settle these cases for, again, $1 ¼ billion, not $32 million. Two-thirds of that went to actual owners of the accounts, and the balance to slave labor classes, to others who had transacted business through Switzerland.

Nazi-looted art is a particularly fascinating and ongoing issue. Look at the art section of The New York times any day of the week and you'll find an article about this. The Nazis stole a staggering 600,000 artworks. And the allies were aware of the theft, although not the dimensions. In the London conference of – declaration of 1943, they warned neutral countries not to trade in this art. At the last stages of the war, the U.S. army, as they were moving east to Berlin, embedded art experts and historians – so-called monuments men. And their job was to collect as many of these looted arts as they could. They collected hundreds of thousands, to put them in collection facilities in post-war Germany, and then return them from the countries from whom they were stolen, because no one in the chaos of the war could identify the individual owners, under the assumption that those countries would create their own claims processes.

Most did not and incorporated them. You go to the Louvre, Jue de Paume, all the great museums, a lot of the art there is looted. How did this then come to the fore during our Clinton administration? Again, this came because of the work of scholars and journalists, who uncovered these stories. It came to our attention, and so in 1998, at the State Department in Washington, I negotiated with 44 countries the Washington Principles on Nazi-Looted Art, in which these countries agreed to open their archives, research the provenance of their art, resolve any claims in a just and fair way without litigation. And that was enhanced by the 2009 Terezin Declaration, which I also negotiated.

And here's a very important point: Neither the Washington Principles nor the Terezin Declaration were legally binding. They were aspirational. But they have profoundly changed the way in which the art world does business. Now people look at the provenance of their art when they're buying it. Were there any gaps during the Nazi era? Thousands of artworks have been returned. Five countries have set up dispute resolution processes to resolve claims. Christie's and Sotheby's, the major art auction houses, now have full-time staffs and won't sell or auction art that has suspicious origins. Christie's has resolved 100 cases in this respect. It's really a story of what you can do with nonbinding moral principles.

Congress has also played a role in assisting our efforts at Holocaust justice. Senator Al D'Amato held Senate Banking Committee hearings to shine a harsh light on Swiss bank deceptions. Congressman Jim Leach in this very building – then the chair of the House Banking Committee – held hearings and gave visibility to looted artworks and other assets. Congress also passed, in 2016, the so-called Holocaust Expropriated Art Recovery Act to prevent American museums from using, as they were doing – totally contrary to the spirit of the Washington Principles – technical defenses, like the statute of limitations, to bar claims. Well, how could you file a claim when you didn't even know if the art existed? And Congress helped remedy that in 2016.

And more recently, literally last year 2018, Congress passed the Justice for Uncompensated Holocaust Survivors Act, or the JUST Act, which will require by this November 2019 that the State Department will send a report on the extent to which the countries who signed the Terezin Declaration, all 46 of them, actually have held it. And I hope, Dr. Thompson, that Congress will hold hearings on that report so nations which signed the Terezin Declaration will be held to account. Last, we did not begin this restitution effort, although we gave it acceleration in the modern era. It actually began in 1952 with the Luxembourg Agreement between then-West German and Israel, with direct payments to survivors.

I'll close by saying, and I hope that panel will discuss it, there are other precedents. The South African Truth and Reconciliation Commission established by Nelson Mandela was not a compensation program. It was a program in which 20,000 victims of Apartheid were asked to come forward, and the perpetrators on an amnesty provision, to try to heal, Dr. Christopher, that divided nation. And last, something much less well known, is after the reuniting of Germany after the Cold War there were 140,000 prisoners who had been political opponents of the communist East German regime. And after the war, when Germany was reunited, the new reunited Germany paid those 140,000, 300 euros per month for each month in which they were in prison. So all of these are ways of dealing with historic injustices. But one of the lessons is,

they go to direct victims and only heirs where there are direct heirs who can trace assets to the relatives who were killed. Thank you very much.

THOMPSON: Ambassador Eizenstat, thank you very much for that. We are very pleased to have with us now one of our Helsinki commissioners, Congresswoman Gwen Moore.

MOORE: Thank you so much, Dr. Thompson. And thank you to our esteemed panel for appearing here today. It is certainly my loss that I was unable to get here in time to hear from Dr. Christopher, because while we talk about the need for truth and reconciliation in the OSCE countries over in Europe, we very much need to tend – to clean our own backyard. And here on this continent, I am very pleased that Canada has established a truth and reconciliation process as part of the overall holistic and comprehensive response to the Indian residential school legacy, which has a very painful and damaging residual impact on our Native community here in the United States.

And certainly we see that in this very active campaign for president on the Democratic side that the contestants are talking about reparations. And I think that before you really talk about reparations, Dr. Christopher, you have to talk about truth and reconciliation. I mean, you cannot correct what you cannot confront. And there are so many people here in the United States, for example, that think that African Americans are doing so much better. We've had our first black president of the United States. They see black people serving in Congress. And that is assuming that the legacy of slavery has been healed.

So – and, Dr. Eizenstat, I did get here in time to hear many of your comments. And I'm looking forward to reading your book. And I'm so looking forward to hearing from Tracy Bibo, Don Ceder, and Dr. Orentlicher. And thank you all for showing up for this extremely important briefing – all of you all in the audience. You're not just in the audience, you're participants in the healing process. And it's encouraging to see young people here, because when we talk about truth and reconciliation and healing towards a unified future, you can't have a future without young people. So thank you so much, Dr. Thompson. And I will yield back to you at this time.

THOMPSON: Thank you. At this time we will actually introduce the former City Councilor of Liedekerke, Belgium, Tracy Tansia Bibo, who will appear by video. And she is also listening by phone.

BIBO: My name is Tracy Tansia Bibo. Today I'm going to talk about reparations and the steps that already have been taken in Belgium towards having reparations for what happened during the colonial past in Congo. If you want to know more details about the colonial past and the colonization of Belgium in Congo, you can read my full statement.

So Belgium has changed the way it looks to the colonization. And this happens in the past 10 years. First of all, the generation of people of Congolese decent, so people from the Congolese diaspora, the second generation that I am part of, are more critical of the past. We talk more about it and we are more vocal about it, also because in education there has been a lack of teaching this colonial past. And because of that, Belgians with Congolese roots ask

themselves why their history – the shared history of Belgium is not represented in classes – in history classes, to be more specific.

The second thing is that there have been a lot of documentaries and books that talk about colonization. One of the last documentaries that I was also took part in as a witness is "Children of the Colony." And there, there is the first time that the Belgian TV – the Flemish Belgian TV talks about colonization and also lets people of African descent, Congolese people, talk about their own experience. The third thing is that racism for Belgians of African descent, for black people in general is getting worse every year. And every year we have – every two or three years, we have more studies that prove it. And all these are the links that this racism – the causes of this racism on black people, on Congolese people in Belgium, is due to colonization.

And the last topic – and then the last point is also the question of métis. During colonization, métis children, mixed children, have been separated from their black mom and brought to Belgium, so the children of a white Belgian dad and a black mom. And they have been brought to Belgium. Because of that, there has been a resolution for the métis children. And it was also the first resolution where I have been able to work as a parliamentary assistant and a political advisor. The first resolution that asked an apology for the wrongdoings to this group. And also, talks about reparation for this group. So these four points are important. And this is why change has been made when we talk about colonization.

This is colonization and reparation, because a lot of politicians now believe that reparation is not about only giving money, but it's about fighting inequalities. It's about readjusting inequalities that we have between black people and white Belgian people in our country. So it's not about just writing a check to the black community or the Congolese community in Belgium. This is one of the steps that – the resolution of the métis is one of the most important steps that has been taken. However, individual politicians are already asking an apology for colonization. And also, there is a lot of initiative that has been taken to go to hearings, here in the Belgian Parliament, to talk about colonization and also to talk about reparations. These hearings will be taking place after the government in Belgium is formed, because we had elections and now we don't have a government.

So as a Belgian of Congolese descent, I have been working the past years on colonization, on reparations. And for me, the message I want to send to the members of the Helsinki Commission is that dialogue and knowledge about colonization is important. Recognition and reparation are the key elements to address the historic wrongs, heal the wounds, breach divisions, and build a shared future. I believe this is the key to the future where fighting inequality – where we fight inequality by understanding and addressing the past. OK, I think I passed my minutes, but I want, again, to thank the Helsinki Commission for inviting me. And also, if you have any questions you can always email me or read my full statement for a better understanding of what I've just said. Thank you very much.

THOMPSON: And former Councilor Bibo's statement is actually included in the folders that you have.

The Honorable Soraya Post, the former Member of the European Parliament, is unfortunately unable to join us today. But she will be submitting something to us in a written format that will appear on our website.

So I would now actually like to introduce Councilor Don Ceder. He's a lawyer, Chairman of the Christian Union of Amsterdam, and currently a Municipal Councilor for the city of Amsterdam. And we are just very honored that he's able to join us all the way from the Netherlands today. Councilor Ceder.

CEDER: Thank you so much, Chairman Hastings, co-Chairman Wicker, the honorable members of the Commission, Senator. I've heard so much, and I'll just try to build upon that and focus it from an Amsterdam perspective. And I'm going to focus on the group on which we introduced the bill, which were the descendants of the transatlantic slave trade, of which a lot of them are still living in Amsterdam because the Netherlands had a lot of colonies in, for example, Suriname, the Dutch Antilles. So I'm going to focus on that part when it comes to communities and when it comes to reconciliation.

Thank you for having me here to discuss the issue that's both in many ways uncomfortable but also crucial for those that are serious about bridging societies and gaps in places that are forged historically by also communities that have been wronged in sometimes a systematic way. There's a saying in Dutch, and some say that it derives from the former colony of Suriname. And it goes as follows: The rocks that you leave lying on your path will eventually make your children stumble.

And I think it has a lot of truth to it, especially with the hearing today, and where we're talking about truth, reconciliation, and healing towards a unified future, because an inclusive society means that we make every effort to remove the obstacles between different groups within that society and community. And achieving truth, reconciliation and healing towards a unified future will only come by truly addressing certain toxic legacies on which our cities and nations across the world were forged, and truly discussing them, how to address that in a just, proportionate, unifying, and a healthy way.

I'm here, as I said, because I would like to address what we've been able to do in Amsterdam by proposing a formal apology bill by the city of Amsterdam, because we see that a formal apology for the shared past is a mature step to a consolidated shared future in Amsterdam. I'll just talk about the background of how we came together and how we managed to have a majority that was able to propose the bill. And at the end I'll also give some – a few take-aways, and hopefully inspire you and politicians locally, but also nationally, to vanguard reconciliation in societies that they are active in.

A few weeks ago a majority of parties in Amsterdam from the city council proposed a bill that states that Amsterdam should apologize as a city for her part in the history of the transatlantic slave trade. What makes this special is that this is not just the work of one party. We have a multiparty system in the Netherlands. And this initiative came eventually from seven political parties – GroenLinks, the GreenLeft, one of the labor party, the socialist party, the Democrat 66, and the Christian Union, of which I am the party leader.

Besides an apology, this bill also proposes scientific research that should be conducted to examine the role Amsterdam played in the history of the transatlantic slave trade. We feel that in order to make an apology that matters, we need to know what we're apologizing for. And this investigation should be done within one year, as we're set to make a formal apology on the symbolic date on the 1st of July 2020, which is the Dutch day of remembering the abolition of slavery. It's called Keti Koti, which is a Suriname term that means "the chains are broken."

There's a lot that we don't know. And that's why we're proposing scientific research. But there's also a lot that we do know. And although officially slavery was not present in the European part of the Netherlands, it was of crucial importance for her colonies. It is estimated that in the Netherlands almost 600,000 Africans were enslaved and used on the colonies. And for a period in the 17th century, the Netherlands was even the greatest, largest trader of slavery between West Africa and South America.

And Amsterdam had a key role in this, because Amsterdam as a city bought an interest in the colony of Suriname in 1683. So Amsterdam as a city became a member of what was called the Suriname Society, and with it one-third owner of the colony of Suriname. And as a co-owner of Suriname, the municipality of Amsterdam benefited greatly from a profitable colony, using slaves. In addition, Amsterdam has also profited – benefitted from slavery in the Antilles, and even in the then-Dutch East Indies.

In fact, many of the great buildings that we see today in Amsterdam have associations with slavery, including the royal palace the dam, where the plantation owners of Suriname met regularly. It was during this golden age that the Amsterdam stock exchange was established to provide merchants with a safe and regulated place where they could buy and sell shares. It is still the oldest functioning stock exchange in the world. And even though slavery has been abolished since 1863 in the Netherlands, the traces remain visible everywhere around the city today. And it is ironic that the beautiful city of Amsterdam has a lot of dark side, and a dark narrative to it.

The majority of the city council therefore acknowledges that the history of Amsterdam cannot be viewed separately from the continuing effects current in this day on the position of descendants of slaves in Amsterdam or elsewhere. And why is this apology so important? Because Amsterdam hasn't been the first city or entity that has formally apologized for their role in the transatlantic slave trade. We've had Liverpool apologizing. We've had recently Charleston in the United States apologizing. And even whole countries, like Benin and Ghana. And in March, even the European Parliament addressed and stated that member states should work towards creating a formal apology. So why is it so important that Amsterdam did this?

It's important because of its vanguard role in the Netherlands. The country in itself, the Netherlands, has not yet made a formal apology. And chances are that that will not be happening soon. And although the Netherlands doesn't, for some reason, seem ready for a formal apology, it was local politicians that had a vanguard role, and made sure – and took it upon themselves that they felt that the formal apology is a right way, a proportionate way, and a healthy way to

create a stepping-stone towards a unified future and reconciliation. It's a symbol, but it's a symbol that actually has an effect in creating why we are here today.

Through healing and reconciliation starts with acknowledging pain of others. It cannot fully blossom where there's a strong need to curate which wrong – which wrongs needs addressing and which not, and which pain in the community is viable and which is not. We cannot curate these wrongdoings. And therefore, true healing can also – can also start when there is a formal apology. Information and education concerning this can help because the need to curate who needs – who has been done wrong or not starts a lot of time because of a lack of information on these systematic wrongdoings in the past.

I'm going to come to a few practical takeaways, which I've learned from the practical case in Amsterdam, which I think that also here in the United States can be of good use. And that's, first of all, the first step is make sure – realize that the acknowledgements of wrongs in itself isn't just a start to begin healing and reconciliation, but often it is an essential part of the healing itself, especially in communities that feel that they have been deprived of that acknowledgement for many, many generations. And I'm talking now specifically of the descendants of those who are enslaved. But you have several communities that feel that they have been deprived of a formal apology or wrongdoing. And this – and acknowledging the wrongs can be – can be a part of reconciliation in itself. And that in order to sustain healing, in order to create reconciliation, we need to learn, as politicians, as people of influence, the art of acknowledging.

Second point, we need to realize that acknowledging the pains of minority communities will not – will not start by itself. It takes people who can articulate, research, and persist in addressing why acknowledgement or apology is so important. If truly seeking for reconciliation, we need to find these communities, we need to interact, and we need to share, and understand, and listen why acknowledgement is important, whether it is an Amsterdam, in the United States, or wherever in the world.

Thirdly, we have to reconsider that reconciliation might in some way mean redefining the identity of a city, maybe even a state or a country, because place in history in a proper perspective might mean that the narratives might need to shift. That is, per se, a bad thing, but holding onto a narrative that withholds truth from what happened to some communities will not work, and even form an obstacle in the process of creating a unifying future. So it's also important to realize that we might need a new narrative and embrace that.

Fourthly – this is my last point – we need to be able to forge politically – political alliances. The bill was proposed because we had a majority, but it took a year of preparation and convincing seven parties. But not just that, for over 10 years, people from the community have been stating that a formal apology should be done and is a necessary and proportionate way to create a unifying future. So it took more than 10 years. And as a party, as a political system, it took us one year to form a majority. Being right doesn't mean you have a majority, per se. So it's also the art of forming political alliances, to making sure that we truly have a unified future. And the patience that comes with this might, ironically, be some type of forbearing of the unifying future that we're hoping to see.

In closing, I encourage every lawmaker and politician that is serious about reconciliation and unifying to help and remove the stones that have been laying on our path for too long, so that we ourselves and our children can walk that path, secured and unified, from a shared history to a shared future. Thank you.

THOMPSON: Hello. We are very pleased to be joined now by Senator Cardin.

CARDIN: Well, first, to Dr. Misha Thompson, we're so proud of the work that she does on behalf of the Helsinki Commission. She has been an incredible resource we have in dealing with this agenda.

I just really wanted to come by briefly. I apologize I'm not going to be able to stay for the entire briefing. The Senate starts votes at 11:00 this morning. But I wanted to underscore how important I believe this briefing is. And I want to thank all the panelists that are here, for all of your work. I know Stuart Eizenstat the best. So I just want to just mention the fact that I am involved in politics every day as a member of the United States Senate, but it was nothing like the politics that Stuart had to endure in dealing with restitution issues. And I applaud his willingness to take on this incredibly important assignment, and to use his best skills for an equitable solution. So I just really wanted to acknowledge that.

Truth, reconciliation, and healing. The work that's done here at the Helsinki Commission is so critically important, but I never thought it would be as important as it is today. Gwen Moore and I were in Europe just recently. We had a chance to visit Hungary, a country that is not dealing with truth. The monument that was put in their main square is a disgrace to the victims of World War II, where Hungary – which was involved in the murdering of Jews and others through 1944 – refuses to acknowledge its role. They're putting, put a museum to the Holocaust that, likewise, does not tell the truth. You can't get to reconciliation until you tell the truth. And we see laws in Poland that make that more challenging.

So we have challenges. And I mentioned Hungary and Poland. They're not the worst countries, but they're NATO allies. And in the NATO charter, they committed to democratic institutions and principles. And they're not following that today. We had a meeting in Luxembourg during the Parliamentary Assembly that dealt with the rise of hate and lessons learned from the past, and what we can do for the future. Well, if you look at the circumstances that existed in the 1930s with the rise of hate in Europe. You see many of those circumstances today around the OSCE region, including the United States of America.

That should concern everyone. And that's why these briefings are so important today. Do I think it will lead to what happened in World War II? No, I don't believe that will happen. But I believe people are getting hurt, and more communities are at risk, if we don't deal with these circumstances. And the way to deal with it is by building coalitions. We can't do it one minority group alone. We're all at risk. And we need to build those coalitions. We have to invest in education. We've got to protect communities. We've got to share best practices. We've got to be willing to take action. And we've got to be willing to speak out. Each of us are leaders. We have to lead. But we need the information in order to do that.

So we at the Commission have been holding hearings. I thank Chairman Hastings for the hearings that he's held in the Commission. We just had one in which Commissioner Gwen Moore chaired the hearing, dealing with this issue - briefing today. We need to be prepared. We need to be educated. And we need to be organized. And we need to have a game plan. And I hope that this briefing will help lead to that. And I can assure you that Dr. Thompson, who's my principal staff person on this issue, she will continue to help plan on behalf of the Helsinki Commission a strategy that will work in the OSCE countries, including the United States of America.

So thank you very much for participating in this and thank you for being here. We appreciate it. And I apologize, again. Maybe if the Democrats take control of the Senate, I can plan the schedule a little better in the Senate. (Laughter.) But right now there is that challenge. Thank you all very much.

THOMPSON: Thank you, Senator Cardin.

We will now turn to Dr. Orentlicher, one of the world's leading authorities on human rights law and war crimes tribunals from American University. Her career includes positions such as Deputy for War Crimes Issues in the U.S. Department of State, United Nations Independent Expert on Combatting Impunity, and a Special Advisor to the High Commissioner on National Minorities with the OSCE. Her new book, "Some Kind of Justice: The ICTY's Impact in Bosnia and Serbia," is not only a timely account of international criminal tribunals and how they actually impact communities, I think, but also will help to form the foundation of her remarks and possibly offer us a path for the way forward, and some lessons learned. Thank you.

ORENTLICHER: Thank you, Dr. Thompson and Honorable Member Moore. It's a pleasure to be here, and an honor to be at a briefing of this Commission, which has provided leadership for so long on some of the hardest and most intractable but important issues of our time, including the one that's the subject of this hearing. As other panelists have already acknowledged, and as I think everybody here knows, the question of what can be done to heal divisions that are born of historic wrongs is both urgently important in many countries, and yet has proved agonizingly difficult in so many.

And parenthetically, when I refer to historic wrongs, I'm really referring to the same thing that Ambassador Eizenstat referred to as historic injustices, periods in a country's history of grave and systemic wrongs of a really epic proportion. And here, we're talking about that kind of wrong, committed against members of a group based on ethnic, national, religious, or other membership in a group.

As my predecessor Councilman Ceder indicated, one of the clear lessons from experience in many countries that have gone through this kind of chapter is that unless they're adequately addressed – however difficult it is to do so – historic wrongs leave deep wounds which afflict not only the victims, direct and indirect of the wrongs, but also afflict a society as a whole. And I think that's the premise of this hearing.

One of the lessons of the field that I've been working in for 30 years, transitional justice, is that every country has to confront these chapters in their past in their own way, in light of their own unique experience, but also that we can benefit from mining the experience of other countries that have dealt with similar challenges. And I think it's in that spirit that I was asked to talk about the experience in Bosnia, which I think everybody here knows experienced savage, exceptionally brutal, ethnic violence, accompanying the breakup of Yugoslavia in the 1990s.

The efforts to provide redress for those injustices and to foster reconciliation among citizens of Bosnia who were engaged in vicious conflict with each other have been a preoccupation, previously more than today, of the international community. And the centerpiece of efforts to reckon with that period of violence was the work of the International War Crimes Tribunal that Dr. Thompson mentioned. Its work, as well as the work of domestic war crimes prosecutions in the region, have been vitally important to survivors of ethnic violence. And their judgements have been, indeed, very precious to those victims. And I could talk about that at length, but that's not the focus of this briefing.

What is important to note is that as important as that effort was, it did not foster reconciliation in the region. And we never should have expected the work of a criminal court to foster reconciliation. And indeed, ethnic tensions are very much at alarming levels and continuously rising in Bosnia and elsewhere. One of the most striking manifestations of that rising ethnic tension, and a factor that very much exacerbates it, has been what I would call in shorthand denialism about the nature and extent, responsibility for inter-ethnic violence during the 1990s war.

And I just want to tick off a few forms of denialism, because it takes many forms. The forms that I'm going to mention are peculiar to the Bosnia context, but some of them have analogues in many other countries. And some of them, I think, will resonate with you based on experiences even in this country. Again, I don't mean to imply any comparison between that context and ours, but there are some resonances that are worth paying attention to.

So five dominant forms of denialism including the following: First, outright denial. Denial, unfortunately by very prominent public figures in the region, that members of their own ethnic group even committed atrocities against victims belonging to other groups. A second, perhaps more common form, is radical minimization of the nature and extent of violations committed typically by members of one's own ethnic against others. Third is actually justifying the wrongs, however grievous they were, by, for example, characterizing what has been legally established to be a genocide in Srebrenica – justifying that as an act of self-defense.

Fourth, actually celebrating war criminals as national heroes. And the fifth form of denialism – and this is not an uncommon one in many places in the world – is actually silence. And that's practicing silence about wrongs that are so grave and calamitous that they really warrant recognition and redress. And certainly, as a number of people have talked about, acknowledgement is critically important.

In my book I talk about the fact that these forms of denial, including silence, have been a tormenting source of pain – ongoing pain for survivors of ethnic violence from the 1990s. The

kind of practice of silence, for example, that I'm talking about includes a routine refusal of local leaders to even allow survivors to place a modest plaque at the site of a detention camp where they were held in brutal conditions, and where many of their family members were killed and tortured brutally. So there's that kind of practice of silence, as well as the other forms of verbal denial that I talked about.

There have, from time to time, been moments of acknowledgement, despite what I – the patterns I've descried. And those moments of acknowledgement by regional leaders provides a glimpse of the healing power of acknowledgment. During periods when there were those more significant moments than we've seen recently, the acknowledgment, the apologies that were forthcoming, were healing for victims, and were quite a powerful form of beginning to repair the social fabric that had been so violent rent in the region. But as I talk about at greater length in my written remarks, in more recent years the promise of those earlier apologies has been really quite radically betrayed in recent years.

On a more positive note, I want to acknowledge that some Bosnians have at a grassroots level decided that despite, or perhaps all the more importantly because of the failure of leadership in acknowledgment, they will do what they can where they can to start to reach across the ethnic chasm and come together to acknowledge, and deal with, and reckon with the violence of the 1990s.

In closing, I also want to note a few takeaways, somewhat informed by the Bosnian experience but also drawing on experience in other countries, which I think have some relevance and perhaps can be instructive for our context, as well as others. The first one is the one that I've already noted, and I believe Councilman Ceder made a similar point. And that is that social divisions that have their root in historic wrongs that have not yet been addressed really can't mend unless there is an honest reckoning, including robust acknowledgment and a full-throated, forthright condemnation of the wrong that happened, as well as a determination to build on that acknowledgement and to address the toxic legacy of the past wrong that hasn't yet been adequately dealt with.

Second, it's important for us to acknowledge, and I think everybody here knows this, it's been mentioned by others, efforts to deal with that kind of past can be painful and very difficult, as Councilor Ceder said, uncomfortable. And sometimes they can be polarizing even. And so it's important to approach the task of that reckoning, obviously, with great care, as well as courage and perseverance.

Third, and this really maybe builds on that point about approaching these tasks with care, we now have a wealth of social science research, some of which Dr. Christopher alluded to, that can help us undertake the necessary work of reckoning in a very smart and strategic way. We know a lot more than we used to about the psychology of denialism. We know a lot more about the social psychology of why people resist so much acknowledging historic wrongs, and what it takes, importantly, to open minds, to change the way people perceive a challenge.

Fourth, and related to that, experience and research suggests that – and here, I'm very much echoing Dr. Christopher – it's important to create opportunities to bring people together –

literally, to bring people together to look for solutions to these challenges. And as I indicated, some local initiatives in Bosnia have done just that.

Closer to home, I want to just mention as one inspiring example the National Memorial for Peace and Justice in Montgomery, Alabama, which among other things – I think many of you know the memorial physically has pillars for each county in the United States that was the site of lynchings. And each pillar is inscribed with the names of known victims. One of the things that is really impressive and innovative, and I think very smart and wise, is that a duplicate was made for each pillar, and is made available to the county that that pillar represents. And each county has been invited to claim its pillar. And that very process of reaching out, inviting counties to claim their pillar, provides an opportunity for meaningful and constructive engagement, coming together by local communities to deal with their own local chapter of this difficult path.

Finally, I would note, again, in the sort of broad category of smart things we can do to learn from experience, one of the things that has proven true in many contexts, including to some extent in the Balkans, is that effective media can often dramatically alter public perceptions. And I think of a recent example, the streaming of the series "When They See Us," Ava DuVernay's series, had a really immediate and dramatic impact on public perception. And some people asked, why now? Why is the American public reacting so strongly now? We knew about this. We knew the basic facts long ago. But the point is that her series helped somehow make people see things anew – in a new way, which they hadn't always, and to react to that.

I'm sorry, I said finally there but this is really my final point, and it really builds on what I said earlier. We always have to be strategic as well as creative, seizing the full potential of emergent opportunities without overburdening them – but seizing them when they arise, and also making them happen, as others have said. And often there is just a moment that can be very fleeting, when key sectors can take a step that was previously inconceivable, as we've seen in recent years here taking down Civil War monuments. And a sector of the public can take a step that for so long seemed absolutely unimaginable.

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And those steps, when we take them, can pave the way for the next step that can be taken. And so we have to keep on being imaginative and seizing those moments, and then using them to advance further to the next thing that may be possible. The process is a long one, and it's often arduous, but we do have to keep at it and keep building on the achievement they have. And one of the negative lessons from the Bosnia experience is that if you don't build on the advances, you can – you can – you can retrogress.

Finally, in closing, and really in sum, effective measures of healing social rifts that are rooted in historic – in great wrongs are demanding, and they are necessary. There aren't easy fixes, but there are wise ones. Thank you.

THOMPSON: Thank you very much. And while I have a number of questions, in the interest of time I'm actually going to now turn things over to the audience for your questions and comments. And I will note that we have an in-house audience here, as well as an online audience. And for those who are interested in either submitting comments or questions, we have

Facebook, that is possible online, as well as through our Twitter handle, @HelsinkiComm. So Helsinki C-O-M-M. I would ask for persons who are interested in asking questions to come to the microphone on the edge here, and please just state your name and speak loudly into the microphone.

So, sir. So, yes.

Tracy Bibo is actually listening from Belgium in this microphone here, so.

Q: Hi. I'm Keenan Keller, House Judiciary Committee.

Question around this whole issue of denialism. And it's sort of generally stated to the panel. What accounts for the resistance of governmental entities to confronting the issues of the past, as have been defined by several members of the panel? And what's the responsibility between private entities and governmental entities with respect to spurring that action? For example, Representative Moore talked about the activism around H.R. 40 and reparations in the United States.

Mr. Eizenstat very specifically in his testimony distinguished the issue of Holocaust compensation to direct injury to individuals and to proof of descendants. And that's one of the key issues that's at the core of the debate around H.R. 40 at this point. Connect that back, if you can, to the whole notion of people like, for example, Majority Leader McConnell opposing the whole notion of a commission to begin a review. And the, you know, challenges that we face when we start looking at this, both not only in the United States but in other countries and localities?

CHRISTOPHER: Thank you for the question. I honestly believe that this issue of denial can be unpacked even further from a psychological perspective. And I believe that we have a collective amnesia in this country around the reality of our formation as a nation that believed in and adhered to a hierarchy of human value. And that actually informed Nazi Germany. And of course, informed colonialism.

I think that we deny the fact of that 250-300 years of atrocity. We deny the consequences of that. I think denial has to be unpacked emotionally. We deny the fact. We deny the consequences. If we face the consequences, then we have to face the implications of those consequences. And those are quite far reaching. But ultimately, underneath that, are the feelings. And emotions either move us or they paralyze us. And because we haven't brought the wisdom of psychology and social science to this work, the movement for the civil rights, the diversity, equity and inclusion movement, all of those movements have not really been informed by what we know about emotional intelligence and what we know about bringing people together in ways that shore up our sense of self.

And so the absence of the really hard work, one on one, the absence of the really focused work on helping people to overcome their biases, it leads to a paralysis and an adherence to denial. So I think we will have compensatory and we will have reparations. But only after we've moved beyond this mountain of denial and refusal to face the realities. Now, if you start

to unpack the literature that's beginning to surface now about our 250 years of forced enslavement of people and genocide, it's really hard to take. I can't go visit that museum that you spoke of because personally, as an African American woman, I cannot take that pain. But we have to be realistic and understand that underneath all of this are deeply embedded, unaddressed emotions.

Some political leaders know that, and they manipulate those emotions for their own political gain. And that is happening in this country right now. So I think the private sector – the lessons we learn from the truth, racial healing, and transformation effort, which has involved many cities and counties around the country, colleges and universities, libraries – they're all working to do this hard work of finding this place of emotional resonance as human beings. We forget that in a democracy it is the people that will ultimately decide the future of this country. And so this work of generating people who are willing and able to face the tough emotions – now, I would also suggest that people will face and will move past denial. I learned it in my clinical practice over the years. They'll move past denial when they believe they have the resources to cope.

So we have got to – and that's what our racial healing as a movement is about. It's about giving people the resources, the human resources, the connections, the relationships to feel that they can face these very hard, unfathomable realities that actually are part of the history of the United States, that we have chosen to be in a collective state of amnesia about.

And the last thing I should say is that currently the people committed to this work are the Association of American Colleges and Universities, the American Public Health Association, Community Action Partnership, which is a legacy of the war on poverty. And they reach almost all the counties in America. The National Collective for Health Equity, which is focused on community-based coalitions. And then the center that I created in the memory of my first one that died in infancy, the Ntianu Center for Human Engagement. So these are five organizations that are committed to doing this hard work of the racial healing, bringing people together and helping them to come to grips with the challenges of the past, the atrocities of the past, but most importantly the promise of the future.

Democracy depends on us being unified as a people. And we're still a very young democracy. But this critical work is at the core, I believe, in our ability to thrive and to flourish as a democracy.

EIZENSTAT: I think your question is really crucial and it was proposed I think, in a very sensitive way. Let me start personally. I grew up in the segregated South. I accepted it as a matter of fact. When I was 12 years old I got on a bus in Atlanta. There was only one seat left. It was the last row in the white section of the bus. And another lady, an African American woman, came on later with shopping bags. And I didn't get up to give her the seat because I said to myself: If I do, both of us will get arrested. As late as 1962, when I was a sophomore at the University of North Carolina, I went into a Howard Johnson's Restaurant. It was the beginning of a sit in. And I saw African American students from North Carolina Central blocking the egress. And I said to my colleague, who was from New York, why are they doing this? He said,

what universe do you live in? It's because they can't get served. It was like somebody lifting a veil.

So I grew up in a system in which segregation was simply accepted. And the question is, how do you deal with slavery and the persistence of discrimination? I worked for the Johnson White House. You know what LBJ did on housing, on public accommodations, on the Voting Rights Act. And I think that reparations is not the way to deal with problems. I think it's impractical. It would cost trillions of dollars. And it would be divisive. But there are many ways to do so.

First of all, aligning it with what we did in the Holocaust, the U.S. Holocaust Memorial Museum is an enormous educational device. There are 4,000 people a day who come into that museum. Kids from all over the world, police officers, military – from military academies. It's an enormous educational device, as is the African American Museum on the other side, that teaches the story of slavery to people who otherwise wouldn't –

Second, in January of 2000, I created in the Clinton administration, with the prime minister of Sweden, what was called the Holocaust Education Taskforce. Of course, then there were only six countries. Now there are 31. And they have mandatory Holocaust education in their school systems. And I'm embarrassed to say that in the United States of America, which we initiated this, that only 10 states have any form of Holocaust education. And none of any form of education on slavery. It may be taught incidentally. We have a very decentralized school system, but if we could help catalyze an education movement similar to what we've tried doing with the Holocaust, that would be good.

Third, during the Carter administration the president – who was president from the deepest part of the deep South, this is statistically accurate. There was an article this week in Slate Magazine. President Carter appointed more African Americans to judgeships and senior positions than all 38 presidents all put together. This is really important. And in addition, we supported in the famous Bakke case in the Supreme Court -- affirmative action. That's hanging by a thread now. We enacted minority set-asides for contractors of the government. In addition, as a way of reconciliation, if we can support programs that support not only the African American but low-income whites as well – like Title I elementary and secondary education, like Pell Grants, like head start programs – then we unite instead of dividing people along racial lines. But disproportionately we will be benefitting people of color who fall in diverse categories. But it's not exclusive.

So I think trying to find ways that unite people yet do target the lingering impacts of slavery and discrimination is the way to go, rather than trying to come up with a specific reparations program, which would be impractical and doesn't direct to victims themselves, trace who was a descendant. How do you – how you acknowledge – (inaudible). These other ways, I think, are much more uniting and, essentially, if there's a relative immediate example and precedent, it's really what Nelson Mandela did with Apartheid. He did not enact a compensation program. He had a Truth and Reconciliation Commission which took testimony from 22,000 victims. And that was a – (inaudible) – expression itself. I mean how we talk about the power of apologies and testimony, and this did that. And he had the perpetrators testify under an amnesty.

It was a healing mission. And those of – it was not a compensation plan. Those are the kinds of things, I think, that are most effective in dealing with this.

THOMPSON: And I would just say, if people are interested in asking questions, if you can line up at the mic.

ORENTLICHER: I just wanted to briefly address this wonderful question as well. There are so many reasons for resistance, but the most important one I think politically is precisely an assumption that what we're talking about is the sort of classic litigation model of monetary compensation. And as soon as you say reparations now, that's the connection that many people make, both in the public and politically. And you know all the arguments on that. One of the things that I think is important about continuing to educate people about the historical facts and to get people to see them for the first time is that it gives you an opportunity to start a conversation about what appropriate reparations look like. And under the developed practice and law, as well, of reparations, monetary compensation is one form of quite a few.

All of the initiatives that Ambassador Eizenstat mentioned as appropriate responses to the legacy of slavery are – have been conceived as parts of historic reparations packages. But they were conceived as parts of reparations practices after study, after consultation with affected constituencies, after extensive deliberation, to try to determine what is the most appropriate package. So I do want to kind to reinforce that part of the blockage, because I think people make assumptions and they're parted for a long time. Part of what we need to do is open up the conversation again.

CEDER: I'll keep it short – (inaudible). There was one part of the question about private reparations or investing. I think back a couple of weeks ago we had the national trade railway system in Holland offering a couple of millions in compensations to those victimized by the Holocaust. So that was a private company acknowledging their share in that horror. The difficulty you have with other questions, including the transatlantic slavery, is the time. It's because it's generations before. So that's where I think that there is a challenge. But I do believe that private companies, there are have a lot of private income. I could name some – where you could see that the wealth – the wealth that they have gathered in these last centuries has moved and can be traced to – in this case, to the slave trade. So I do I think that private – that reparations from private institutions should actually work. There is the question of it should be compulsory or voluntary? I think it should be voluntary, thereby – (inaudible).

THOMPSON: Thank you. Can you please state your name and your question, or comment?

Q: Yes. My name is Gabe Hasley (ph). I'm working for Representative Ted Lieu.

So one thread I've been hearing throughout this briefing is the word "narrative." And I'm just curious if you guys could clearly define the word and say how you would use it to mend separated communities?

THOMPSON: Thank you. We'll actually take two more questions. Yes, sir.

Q: Hi, my name is Joe Hafner (sp) here. I work for Representative Jared Huffman.

My question is: How do you balance finding truth and reconciliation with accountability? Mr. Ambassador you mentioned it in South African and the amnesty laws there. How that allowed everyone to be able to speak and bring up the truth. But in countries like El Salvador, where the truth commission didn't recommend charges because they didn't think their system could handle it, and that led to tons of – or complete, like, failure to reconcile the civil war. And now we see, 30-40 years later, they're finally started to prosecute some of the criminals that were named in the commission work. But it's so far later. So how do you balance creating an environment where people can tell the truth the society can reconcile, while also holding people accountable for their actions?

Q: Hello. My name is Lilly, and I work for Senator Durbin.

And so my question is, using this knowledge of past wrongdoings, what are your organizations or yourself doing to – either in Congress or anywhere – to help resolve current injustices, such as the refugee and asylum seekers fleeing violence, and also avoiding future wrongdoings?

THOMPSON: Thank you. Thank you. So we have a question on narrative change that we can start with first.

CHRISTOPHER: I thank you all for the very insightful questions. I would say that the current – there's a framework for our work. And at the top of that framework is the importance of narrative. Ultimately, the human brain is wired to retain stories. I can give you all the facts in the world, but what you'll leave here with is the story. And so one of the things that we are calling for in this work is that leaders in philanthropy, public and private sectors, they should leverage today's media and unprecedented technology to disseminate a new narrative about human-oriented connectedness that is informed by 21st century development science, with a clear intent to repudiate the false 15th through 17th century ideology and belief in separate and unequal human races. I think this public historical correction should include definitely authentic narratives and experiences of diverse people.

If you read my full statement, I talk about the refugee crisis as a further – picturing today's refugee crisis, certainly the one in this country right now that we're dealing with in a less than humane way, is a continuation of this adherence – consciously and in many cases unconsciously – to this idea that some people don't matter. I think it was a judge who said – when they said they had no bathrooms in these holding cells and they can't – he said, well, they don't need bathrooms. I mean, that is clearly a manifestation of this deeply held belief that some people are not of value.

We have the capacity to change public consciousness. You mentioned the film, "When They See Us," has had a profound effect on the way people are thinking. But we need a coordinated, collaborative effort to correct, if you will, the collective ethos of adhering to this idea. It is so embedded in our legal systems, in our housing, in our economic systems, in our

criminal justice system, that we have to commit to a correction and a forward path. I believe focusing on history is absolutely important. But if you don't give people a container for that, then they – it only can create, I think, further division. And that's why the approach provides a container, provides resources of connecting to one another deeply as human beings.

And I believe, from that, the accountability and, indeed, the repair – the willingness to repair – ultimately, the system of enslavement and segregation and exploitation was an economic system. And our inability to come to grips with the economic costs – racism costs this country $2 trillion annually, at least. I would refer you to the Business Case for Racial Equity. So we cannot really do the work of healing without taking into account the economic impact and addressing that in very creative and very, I think, fundamental ways. So I would leave my thoughts at that.

EIZENSTAT: If I may mention one, the express U.S. example which has not been discussed, and I would like to address it. And that is the interning of Japanese Americans during World War II. The irony is I have worked during the Carter administration with Senator Dan Inouye, who was a great senator from Hawaii. Lost one arm fighting with American troops in Italy. And his parents were interned in camps. It was only in 1988 that Congress passed, and President Reagan signed a bill that there were two features. The first was to pay $20,000 per person for those who survived. If you died between the end of the war and that time you got nothing. But at least there was that.

But second there was a formal apology attached to that legislation apologizing for the interning of American citizens of Japanese origin. So here we get a combination of payments to a direct victim, combined with a more broad apology. And that had a dramatic effect in the Japanese American community. There were – Congressman Matsui, Congressman Inouye, there were Japanese Americans in Congress who helped to lead that legislation. But they waited till decades later. Somebody had just pushed it aside.

THOMPSON: So we actually have Tracy Bibo on the phone. We are going to try our high-tech arrangement for her to address the narrative question.

BIBO: Can I talk now?

MR. : Yes, you can talk.

BIBO: OK. Hi. Thanks very much for letting me speak. I would like to answer the question about the narrative and how we make changes.

So narrative, what do we do with narrative and how we make changes. When I look at the history of Belgium and colonization, the history that has been taught in school and on tv is that that colonization was good thing for the Congolese people, it was to bring civilization, and it was to help them get out of slavery because a lot of parts of Congo, where there were slave traders there. But going back, I mentioned in my, you know, statement – (inaudible) – when the second generation of people of Congolese descent where at school and they kind of feel insbecause, like, the colonization was very bad for the people of Congo.

So changing the narrative means that we have to talk about the Belgians and what they did, but you also have to talk about the suffering of the Congolese people and the impact it had on the Congolese people, during the colonization but also the aftermath now when you talk about today about the racism that black people face today. And I thinking of also all the research in psychology – (inaudible) – and all the books written about colonization were written by Belgians, so white Belgians. And it also loved to romanticize colonization. Actually last year, in 2018, first time the book was brought up, entitled – (inaudible) – when we talk what do we think when we talk about colonization? That book was one of the first ones to be written by Congolese people, and so the narrative is totally different.

So changing the narrative for me is not only talking about what Belgium did or what the Congolese were doing. Those two together to have that kind of situation to just bring those together to have a view of what happened during colonization. And its also not forgetting the suffering of Congolese people and the African people.

So I think I have answered this question about the narrative, yeah, and also the question of education. The issue is very important – I think last year – or last year was to see the change in the cultural situation, because it's quite insulting if your Congolese to hear about there was supposedly no civilization before the Belgium people should be more of a – (inaudible). So this is also part of changing the narrative. So to me, changing the narrative is about talking about what is the basis of colonization, talking about what happens and what impact is the of colonization, and how do colonizers look at colonization.

And then there is a question about how do we then find truth and reconciliation – within the country and among the community. I couldn't hear very well what the other people said, but what I thought – what I see what happened in Congo, is a lot of people from the Congolese diaspora tried to talk also to colonizer. That is directly important because a lot of times we ourselves are so – (inaudible) – colonizer and – its like we against them. But it's our shared story, so it's important to talk about it. And it's important to explain that when you talk about a system of colonization, we don't – we don't want to reduce all the – (inaudible) – all those people, because most of the people – (inaudible) – it's the system that was bad. So it's important to have a dialogue and talk about these things, to understand or to share it, basically.

So I hope I answered – (inaudible) – questions. It's difficult for me to hear what other people say. So if you have another a question you can always send it to me. Thank you.

THOMPSON: Thank you, Tracy.

So were there other panelists who wanted to talk about the balance? So truth, reconciliation, transformation or answer the question on accountability?

ORENTLICHER: It's a great question. So there's no general answer that's right for every country. It's a really important issue that many countries have struggled with. And I think one of the things – one of the lessons from experience in many countries is it's really valuable to invest more time up front when designing policies to deal with the past, to consult stakeholders

widely before a policy is designed, in part because the policies that are developed can then be more responsive to what survivors really need and want. But also they can be part of crafting a policy that does strike a balance. And if there are tradeoffs, it's not somebody else making the tradeoffs for them, but survivors can help participate in identifying that.

The other thing I would say is that sometimes – and here, I'm really focusing on donor states that underwrite transitional justice initiatives for other countries that can't afford it – it is important to be aware of that issue. And one of the subtexts of what I said earlier, but now I'm going to say it more explicitly, is that the international community invested an enormous amount in the Yugoslavia War Crimes Tribunal, which I think it was very much worth supporting, and also invested a lot in domestic war crimes prosecutions, also very worth supporting. But I think there's a risk that you can think, OK, we've done it. We've dealt with the past. We had prosecutions.

When in fact, prosecutions can do certain things that are very important, but not others. And so I think the lesson learned in many countries is that you have to address the past on numerous fronts, including truth telling processes suitable to the situation, reparations processes, again, suitable to the situation, as well as accountability. And often we tend to prioritize one or the other, and problems very often develop later because there wasn't a more complete approach.

EIZENSTAT: I think the issue – you certainly addressed it as well – the question of accountability versus reconciliation. It's a very, very tough tradeoff. So for example, with the East German Communist situation, so-called GDR, called the democratic communist regime. After the reuniting of Germany, there was a payment, as I mentioned, of 300 euros per month for each month of prison. But one of the criticisms of the program is that there was not an active effort to prosecute the so-called Stasi intelligence people who were responsible for the development of a lot of the prosecution. There was some, but the decision was made for two reasons not to go much further.

One was many were simply necessary to run the operation of the reuniting of Germany. The second was the fear that you would lead to a bloodbath, with many public trials that would drag on for years. And of course, the War Crimes Tribunal, some of these cases went for years and years. And so they made a tough tradeoff, for which they were criticized, not to go after all the – (inaudible). Mandela, again, to come back to that example, made a very conscious decision which he said – he said to a reporter of his mission, headed by Archbishop Tutu, that he knew that this was going to be a very painful tradeoff. And he made a decision, essentially, that having given amnesty to some to come forward, that he simply was not going to start a broad-based prosecution of those who were embedded in the system, including, by the way, the president of the republic, who was the one that oversaw this.

These are very, very tough issues. You certainly can't let the worst perpetrators go. Eichmann, for example, got a trial. The Nuremberg Trials were terribly important. But the Nuremberg Trials didn't get near a systemic accountability in people. And we have a unit in the Justice Department to this very day which still finds Nazis who are now in their nineties. One was recently deported to Germany for trial. So it's a very tough tradeoff, but when you can establish a very good reconciliation between a perpetrator and a victim, and victimization, it is

still probably useful to go after that person and say there has to be accountability – even 70 years later.

CHRISTOPHER: We are having some trials in the South here in America that are holding people accountable for atrocities committed during the civil rights era. And it had such corruption and such embedded racial hierarchy that evidence that could have pointed to perpetrators of violent crime was literally held or ignored if it was federal evidence. So there is movement towards greater accountability, but I would argue that our real work about – in addition, I agree with what you said, Ambassador. But our challenge is to create societal accountability. Our challenge is to transform our culture, our ethos, into one that no longer allows for these kinds of atrocities. And that's a mega work.

That's a different level of work. It's a work that our country has got to find the courage to do. And one of the tenets that I have failed to mention, and Senator Cardin referred to it, it really is a collaboration. It's a collective work. In the work we do with our racial healing, building on the Truth Racial Healing and Transformation (TRHT). It's Native American, it's African American, it's immigrant, Asian American, Pacific Island, it's Appalachian white, it's every person in our society. Because the focus, while it acknowledges the horror that is perpetrated by this – and fomented by this belief system, the focus is on our collective humanity and our interconnected humanity. And that's the new consciousness that we have to create if, in fact, this experiment called America is actually going to survive.

And our current tension that we have in this society is just opposing that truth with the revisiting of the policy of a hierarchy of human value that's embodied and embedded in white nationalism and other forms of extremism. So I wanted to drive that home, because as Senator Cardin said, we have to come together to do this work and find a way forward, and relinquish these absurd notions that have no place in the 21st century.

THOMPSON: We did have one final question.

Q: Hi. I'm Jim Hardin (sp) with Congressman Steny Hoyer's office, and I'm a student at Rice University.

My question kind of pertains to the point you made by the honorable Tracy Bibo in our education system. For so long, we kind of prolonged all these conversations on identity, discrimination until we feel those students are comfortable with having these conversations. And oftentimes, this actually – may solidify all their perspectives on these issues. So how do we make this equitable approach to the gender – I mean – agenda item that would bring it to the table at a younger age in our public education system?

THOMPSON: So I'll just say – just Tracy just mentioned it was difficult for her to hear, so she's not going to respond to this. But there is an actual whole section in her written testimony in the folder that addresses the issue of education as well.

CEDER: Thanks. So that's a good question. I truly believe that education at the smallest age can really help in redefining how we view society. What we did in Holland as the

debate went on on specifically that, is we have an education – let's call it education canon. And we actually decide what are the basic foundations any child needs to learn before going to high school. So we're, like, redefining and prioritizing the subjects and topics, but also narrative and science. And there's a debate going on saying that the Holocaust, that's something that we do feel that a lot of kids growing up do not actually know what took place, to that extent. But also when it comes to the transatlantic slave trade, we also have a lot of kids that grew up – also grew up now – actually don't realize to what extent that history has resulted in – (inaudible) – to today.

So what we do in the Netherlands is that the secretary of education stipulates the canon. And that's actually being integrated in all elementary schools. I don't know how it works here, but I do feel like that is something one needs to do from the top down because that's – you're creating the boundaries, you're creating the – you're actually creating the argument and the debate. And every school needs to partake in that. So I do feel that – as a Dutch perspective – I do feel that that would work in making sure that any school, in any state, anywhere has a similar narrative on how the United States came to pass, and what are several narratives from populations in that.

EIZENSTAT: So permit me to add on the Netherlands. Seventy-five percent of French Jews survived the war, with Nazi occupation. Fifty percent of Belgian Jews survived the war. Five percent of Dutch Jews survived – 5 percent. And just as the Swiss, because of our own work at the State Department and the interagency process which has led to their home, looking at their position. Very important, I think – and I really appreciate what you said – for the Dutch to ask: What was there about the Dutch? I mean, if you ask even an educated person to give three countries people would say, well, Anne Frank was betrayed, you know? Oh, she was betrayed, OK.

So what was there about the Dutch situation that led to 95 percent of its Dutch Jews being killed? Having that kind of education process would be a very important issue, in addition to, as you mentioned, an apology for the transatlantic slave trade, also for that – I think betrayal of the Dutch Jewish community.

CHRISTOPHER: If I could just add, my work in this space began around 30 years ago, with developing a curriculum for K-12 education that is called Americans All. And it revisited the history of the United States from multiple racial and ethnic perspectives and was endorsed by every education organization that we have in the country. I was amazed, as I watched teachers receive these materials and this information that they didn't have, and how it affected the way they were actually relating it to their students in their classroom. And the evaluation showed that the esteem, if you will, of some of the white teachers actually came in at a lower level than it had started. And I said, that's not a bad outcome because in some ways they were coming to grips with some of the ugliness of the past, but with tools and resources.

And so I wanted to emphasize that education is critical. One of our lead partners in this is the Association of American Colleges and Universities. And they are establishing truth, racial healing and transformation centers on campuses all over this country, campuses that are training the educators. I mean, this work is comprehensive in its intention and vision. People are

actually envisioning a future America without the belief in hierarchy in value. And the first step is to create the vision, and then you can create that which you have envisioned. And that's our goal.

ORENTLICHER: I just wanted to say that in addition to the points others have made, education of young people is a critical part of changing the narrative. And this links up with the earlier point. Just really quickly, when we speak about some of the psychological barriers to dealing with the past, some of the most basic ones which operate in our daily live in all kinds of spheres are, first of all, it's very hard to change people's minds once they have a set view. There's tons and tons of research that supports how difficult it is to get people to change their minds. So if they're exposed to new information and they have an entrenched position on something, they interpret that new information through the lens of what they already believe to be true.

And secondly, another psychological dynamic that often feeds into denialism or resistance to facing the past in a constructive way is people that subconsciously like to preserve their self-esteem, including their subjective self-esteem. And so for many white Americans it's difficult to confront the fact that their ancestors were engaged in something that is inconceivably evil. And so there's this resistance, right?

When you expose young people who don't yet have set views about the past to even information – I think the question was also about just how do you have constructive conversation? And that's, you know, an important area of really invaluable training right now as well. But just having the information itself, when people don't yet have a set view, and haven't inherited the social perspective, it's incredibly important. And even at the level where I teach, which is law school, when I work into my assignments things like Ta-Nehisi Coates' peace on the case for reparations, it's an eyeopener for many of them. It's –I don't have to change their mind. I just have to provide information to them, and they react in a way and see how important it is to deal with slavery not as a historical phenomenon from long ago, but as something that has transmuted into other forms of harm over generations. It's eye opening.

And so just a long way of saying education is so important in this country, and many others. Getting to people before their views have hardened is crucial.

THOMPSON: Well, thank you. Are there are any other closing remarks from the speakers before we end? OK. So with that, I would just like to thank everyone for being here with us today, including Mr. Ceder, who traveled all the way from Europe to join us. I would note that a former member of the European Parliament, Soraya Post, has actually called for, in her position, a truth and reconciliation process for Europe's 10-15 million Roma, so one of Europe's largest minority populations. And that's an ongoing process as well for Europe. Now, I also just wanted to note that Chairman Hastings was actually one of the judges that Carter appointed. So to your point about increasing appointments, I think, also diversity in positions of leadership are just one of the many solutions that can assist societies in moving forward.

Processes by which our nations can heal for a brighter future are issues the Commission will continue to focus on. There have just been a few, I would say, takeaways from this

conversation. I think the main one is that while there are promising practices taking place in the transatlantic space there are also many challenges, as we heard from today. Silence, denial, the need for a real process to heal, including accurate historical education are but just some of those challenges that we've heard about. And there are also a number of pieces of existing legislation and policies that are already on the books that require not only follow up but oversight. There are also roles not only for government but also civil society and the private sector in these conversations. And it really is a holistic process for our societies.

I'm also just proud to say that several of today's speakers are actually alumni of the Transatlantic Inclusion Leaders Network, or TILN, a program founded by our Helsinki Commission, the State Department, administered by the German Marshall Fund and other stakeholders to support young leaders committing to advancing inclusive societies for the long-term prosperity of our democracies on both sides of the Atlantic. And so just so pleased that both Tracy Bibo and Don Ceder could be joining us today, as alumni of that program, which is now 200 strong, on both sides of the Atlantic. And I would say, with lessons learned from the past and continued leadership from all of you for the future, the hope is that our societies can not only address the past but heal from it and use it as the foundation for transformation and a shared future.

Thank you. (Applause.)

[Whereupon, at 11:56 a.m., the briefing ended.]